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Attorneys for Defendants
Deutsche Bank National Trust Company, as Trustee;
JPMorgan Chase Bank, N.A., as an acquirer of certain assets and liabilities
of Washington Mutual Bank, F.A. from the FDIC acting as receiver
(improperly named as Long Beach Mortgage Company);
California Reconveyance Company; MERSCORP. Inc.;
and Mortgage Electronic Registration Systems, Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CHARLES ANDERSON, an individual,)	
)	
Plaintiff,)	CASE NO. 2:10-cv-01443-JCM-PAL
)	
v.)	
)	MOTION FOR STAY OF LITIGATION
DEUTSCHE BANK NATIONAL TR CO;)	AND DISCOVERY PROCEEDINGS
LONG BEACH MORTGAGE COMPANY;)	PENDING A DETERMINATION ON
CALIFORNIA RECONVEYANCE)	MOTION TO DISMISS COMPLAINT AS
COMPANY; MERSCORP, INC. a Virginia)	AGAINST ALL NAMED DEFENDANTS
Corporation; MORTGAGE ELECTRONIC)	AND TO EXPUNGE LIS PENDENS
SYSTEMS, INC. subsidiary of MERSCORP;)	
Inc., a Delaware corporation; AND DOES 1)	(First Request)
individuals to 100, Inclusive; and ROES)	
Corporations 1 to 30, Inclusive; and all other)	
persons and entities unknown claiming any)	
right, title, estate, lien or interest in the real)	

1 property, described in the Complaint adverse to)
 2 Plaintiff's ownership, or any cloud upon)
 3 Plaintiff's title thereto,)

4 Defendants)
 5 _____)

6 Defendants Deutsche Bank National Trust Company, as Trustee ("Deutsche Bank");
 7 JPMorgan Chase Bank, N.A., as an acquirer of certain assets and liabilities of Washington Mutual
 8 Bank, F.A. ("WAMU") from the FDIC acting as receiver (and improperly named as Long Beach
 9 Mortgage Company, an organization that dissolved into WAMU) ("JPMCB"); California
 10 Reconveyance Company ("CRC"); MERSCORP, Inc. ("MERSCORP"); and Mortgage Electronic
 11 Registration Systems, Inc. (incorrectly named as Mortgage Electronic Systems, Inc.) ("MERS")
 12 (collectively, the "Defendants"), by and through their counsel, respectfully request that the Court stay
 13 all litigation and discovery proceedings in this matter pending the Court's resolution of the Motion
 14 to Dismiss Complaint as Against All Named Defendants ("Motion to Dismiss") and to Expunge Lis
 15 Pendens ("Motion to Expunge") (collectively, the "Motions") filed by Defendants on September 1,
 16 2010. Defendants respectfully submit that granting this request is in the interests of judicial
 17 economy and will afford the Court with an opportunity to dispose of this unfounded lawsuit without
 18 the parties incurring unnecessary additional fees and costs. *See, e.g., Mediterranean Enterprises,*
 19 *Inc. v. Ssangyong Corp.*, 708 F.2d 1458, 1465 (9th Cir. 1983) (temporary stay of proceedings
 20 applicable to preserve judicial efficiency and fairness); *Stock v. Commissioner of the Internal*
 21 *Revenue Service*, 2000 WL 33138102 (D. Idaho) (temporary stay of proceedings during pendency
 22 of motion is proper where the interests of judicial economy are served).

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 26 A district court has broad discretion to stay proceedings as incident to its power to control
 27 its own docket. *Clinton v. Jones*, 520 U.S. 681, 706-07 (1997). The authority to stay proceedings
 28

1 is particularly appropriate where it will serve the interests of judicial efficiency and fairness during
2 the pendency of a court's decision on a motion to dismiss. *Stock*, 2000 WL 33138102, at *2.

3 Specifically, the court in *Stock* held:

4 The court finds that it is in the interest of judicial economy to temporarily stay the
5 advance of discovery until such time as the Court hears oral argument on and decides
6 the motions to dismiss which are pending.

7 *Id.*

8 Likewise, in *Mediterranean Enterprises, Inc.*, the Ninth Circuit stated:

9 [A] trial court may, with propriety, find it is efficient for its own docket and the
10 fairest course for the parties to enter a stay of an action before it, pending resolution
11 of independent proceedings which bear upon the case.

12 *Mediterranean Enterprises, Inc.*, 708 F.2d at 1465.

13 Here, Defendants' Motion to Dismiss and Motion to Expunge are now pending before the
14 Court. Defendants respectfully submit that the Motions have substantial merit and that no
15 proceedings during the pendency of the Motions are necessary or warranted. As explained more
16 fully in the Motion to Dismiss, Plaintiff's Complaint is no more than an improper attempt to
17 relitigate unfounded claims and allegations that have already been considered, and rejected, by this
18 Court. Plaintiff's Complaint in no way states any viable claim for relief as against any of the
19 Defendants, and it is legally unsustainable.

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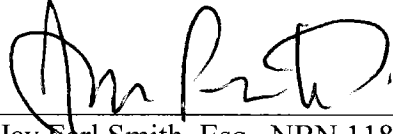
27 ...

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1 In light of the foregoing, Defendants respectfully submit that the Court should exercise its
 2 inherent authority to protect both the Court and the defendants herein from unnecessary time and
 3 expense with respect to Plaintiff's unsustainable claims. Accordingly, Defendants request that this
 4 motion to stay proceedings be granted pending the disposition of the Motion to Dismiss and Motion
 5 to Expunge.
 6

7 DATED this 2 day of September, 2010.

8 SMITH LARSEN & WIXOM

9 

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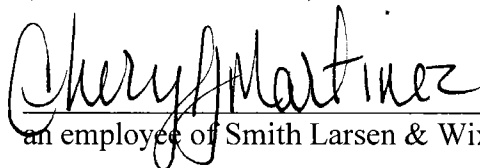
20 California Reconveyance Company; MERSCORP. Inc.; and

21 Mortgage Electronic Registration Systems, Inc.
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of September, 2010, a true copy of the foregoing
**MOTION FOR STAY OF LITIGATION AND DISCOVERY PROCEEDINGS PENDING A
DETERMINATION ON MOTION TO DISMISS COMPLAINT AS AGAINST ALL NAMED
DEFENDANTS AND TO EXPUNGE LIS PENDENS (First Request)** was filed electronically
via the court's CM/ECF system and served electronically or by mail, postage prepaid, to the
following:

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Plaintiff in pro per
(Served Via U.S. Mail)


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